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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/596,027	06/15/2000	David Charles McClure	95-C-153RE (1678-26)	1327

30431 7590 09/04/2003
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EXAMINER

LE, DINH THANH

ART UNIT PAPER NUMBER

2816

DATE MAILED: 09/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/596,027

Applicant(s)

MCCLURE, DAVID CHARLES

Examiner

DINH T. LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

Oath/Declaration

The Oath/Declaration is approved.

Drawings

The proposed corrections to Figure 4 are approved.

Specification

The amendment filed 6/9/2003 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: For example, the following limitations newly added to the specification as shown in the amendment such as “Ser. No. 09/457,558 . . . “08/587, 709” on lines 7-8 at page 3, “U.S. . . . 5,701,275” on line 11 of page 3, “U.S. . . . 08/589,139” on line 26 of page 3, “U.S. . . . 08/588,737” on line 29 of page 3, “U.s. . . . 5,802,004” on line 32 of page 3, “U.S. . . . 08/589,140” on line 3 of page 4, “U.S. . . . 5,864,696” on line 8 of page 4, “U.S. . . . 08/587,708) on lines 13-14 and “U.S. . . . 08/589.023” on line 19 of page 4, and “derivative 23 from node 4 and Control derivative signal 27 from node 3” at page 5-6 and 8, “when the Power-On Reset signal 16 goes to a low logic state” or “remain at” at page 6 are considered to be a new matter because they are not recited in the patent 5,767,709 although they are related to the present invention. Also, the recitation, i.e., “control bar derivative . . . following elements” at pages 5 and 6 of the amendment is misdescriptive because it is inconsistent with what is shown

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on Figure 1a of the original patent. For example, the signal 27 or 23 in Figure 1a is not used to control the TTL cell 22.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections

Claim Rejections - 35 USC § 112

Claim 18-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required.

In claim 18, the recitation “integrated circuit” is unclear and as such indefinite. It is not known what the “integrated circuit” on line 2 is, how it performs a function, how it can be “powered-up” since no means for performing the power-up function and how it is relevant to the master latch and slave latch since it is not connected to the latches. The same is true for claims 25 and 35.

In claim 21, the recitation “the complement” lacks clear antecedent basis.

In claim 24, it is unclear how loading the data bit can comprising generating a clock signal inside the integrated circuit since the master latch and the integrated circuit does not have structural relationship. The same is true for claims 36-37.

In claim 20, the recitation “generating the power-on reset signal” on line 2 and 5 is confusing because it is unclear if these are additional “generating” steps or a further recitation previously claimed “generating steps” in claim 18. The same is true for claims 22, 24 or 28-37.

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In claim 25, it is unclear how the recitation “generating a power-on reset having a first and second reset states during a power-up” is read on the preferred embodiment. Insofar as understood, no means for performing such steps are seen on the drawings.

In claim 26, the recitation generating the power-on reset signal” on line 2 and 5 is confusing because it is unclear if this is additional generating steps or a further recitation “generating steps” in claim 25. . Also, it is unclear what the “integrated-circuit supply voltage” is, where it comes from and how it is read on the preferred embodiment or seen on the drawings. The same is true for claims 27.

In claim 29-30, it is unclear how the recitation “generating a test signal” or “multiple test signals” is read on the preferred embodiment. Insofar as understood, no such steps or generating means is seen on the drawings. The same is true for claim 31-34.

The remaining claims are dependent from the above claims and therefore also considered indefinite.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dinh Le whose telephone number is (703) 305-3790. The examiner can normally be reached on Monday to Friday from 7:00 A.M.to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7725.

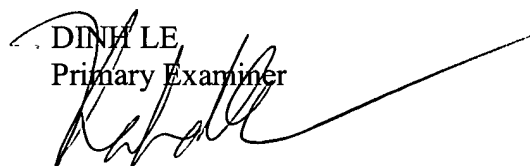
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

DINH LE
Primary Examiner

A handwritten signature in black ink, appearing to read 'Dinh Le', is written over the printed name and title.